

**Amendments to the Claims**

1. (Original) An isolated nucleic acid molecule comprising a promoter, wherein the promoter comprises SEQ ID NO:26 or SEQ ID NO:28.
- 2-4. (Cancelled)
5. (Original) A chimeric gene comprising the isolated nucleic acid molecule of claim 1 operatively linked to a coding sequence of interest.
6. (Original) A recombinant vector comprising the chimeric gene of claim 5.
7. (Original) A transgenic host cell comprising the chimeric gene of claim 5.
8. (Original) The transgenic host cell of claim 7, wherein the host cell is a plant cell.
9. (Original) A transgenic plant comprising the transgenic host cell of claim 8.
10. (Original) A transgenic seed from the transgenic plant of claim 9, wherein the seed comprises the chimeric gene.
11. (Currently amended) An isolated nucleic acid molecule comprising a promoter, wherein the promoter comprises SEQ ID NO:24 ~~or a fragment thereof~~.
12. (Currently amended) ~~[[The]]~~An isolated nucleic acid fragment of the molecule of claim 11, wherein the fragment of SEQ ID NO:24 ~~comprises~~ ~~one of~~ is selected from the group consisting of SEQ ID NO:25, SEQ ID NO:26, ~~[[and]]~~ SEQ ID NO:27, and SEQ ID NO:28.
- 13-15. (Cancelled)
16. (Original) A chimeric gene comprising the isolated nucleic acid molecule of claim 11 operatively linked to a coding sequence of interest.
17. (Original) A recombinant vector comprising the chimeric gene of claim 16.
18. (Original) A transgenic host cell comprising the chimeric gene of claim 16.

19. (Original) The transgenic host cell of claim 18, wherein the host cell is a plant cell.
20. (Original) A transgenic plant comprising the transgenic host cell of claim 19.
21. (Original) A transgenic seed from the transgenic plant of claim 20, wherein the seed comprises the chimeric gene.
22. (New) An isolated nucleic acid molecule having SAR-induction chemical or pathogen-induced promoter activity, said molecule having 99% nucleotide identity to the molecule of Claim 11.
23. (New) An isolated nucleic acid molecule having SAR-induction chemical or pathogen-induced promoter activity, said molecule having 99% nucleotide identity to the molecule of Claim 12.
24. (New) An isolated nucleic acid molecule comprising a fragment of the molecule of Claim 11 and having SAR-induction chemical or pathogen-induced promoter activity, said fragment further comprising the sequence of SEQ ID NO:26 or SEQ ID NO:28.